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### Call for Evidence Response Checklist

<p><b>This checklist is designed to provide the Chief Executive with oversight of all calls for evidence from Scottish Parliament or UK Parliament committees or inquiries. Its purpose is to help co-ordinate these requests across the Council Family and to allow for consideration of the key issues to be raised in any responses and clarify who will attend to give evidence if required.</b></p>				
<b>Parliamentary Committee / Inquiry</b>	Local Government, Housing and Planning Committee			
<b>Title of Inquiry</b>	Civic Government (Scotland) Act 1982 (Licensing of Short-Term Lets) (Amendment) Order 2024 ("2024 Order")			
<b>Description of Request</b>	Written comments on the 2024 Order.			
<b>Lead Service</b>	CED	<b>Name of Person Preparing Response</b>	Gillian McNaught – Legal Manager – Licensing	
<b>Call For Written Evidence</b>	<b>Opened Date</b>	16/05/24	<b>Closing Date</b>	<b>29/05/24</b>
<b>Oral Evidence Request</b>	<b>Date of Request</b>		<b>Date of Committee</b>	-
	<b>Name(s) of Proposed Attendee(s)</b>		<b>Designation(s)</b>	
	<b>Elected Member Attendance Required?</b>		<b>Name of Elected Member</b>	
<p><b>Please advise below the key points to be highlighted in evidence.</b></p>				
<p>The main proposed changes within the draft 2024 Order are the following:</p> <p><b><u>Introducing a Provisional Premises Licence for a Short Term Let</u></b></p> <p>This is a completely new type of licence under the Civic Government (Scotland) Act 1982. It does not apply to any other type of licence under the 1982 Act. The provisions appear to mirror part of sections 45 and 46 of the Licensing (Scotland) Act 2005 which relate to a provisional premises licence for premises selling alcohol.</p> <p>At present within the 1982 Act a building standards certificate is not required for a short term let licence application (home letting, home sharing, secondary letting and home sharing and home letting). It is however required under the draft 2024 Order for confirmation of a provisional premises licence. This will require work from the Council's building standards section in relation to short term let confirmation applications.</p> <p>There are no mandatory conditions attached to a provisional premises licence, unlike the other types of short term licences granted under the 1982 Act. This is perhaps due to the nature of a provisional short term let licence as the premises to which it relates cannot be used by any guests and the premises may not be built yet, making compliance with the mandatory conditions impossible.</p> <p><b><u>Introducing the Transfer of Short Term Let Licence</u></b></p> <p>This enables a short term let licence to be transferred to a person, subject to certain requirements such as consent of owner of premises, if the owner is not the licence holder. Police Scotland is a consultee to each transfer application. The transfer provision almost mirrors the section 33 transfer provision within the Licensing (Scotland) Act 2005, in relation to a premises licence for selling alcohol. This does not apply to any other licence type under the 1982 Act.</p>				

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**Are there any policy positions or specific challenges for Glasgow that will be highlighted or may be raised when submitting or presenting this evidence?**

Recognising it is perhaps not direct to Glasgow, but questions could be raised by the licensing trade for other licence types under the 1982 Act (late hours catering/taxi/private hire car/taxi drivers/private hire car drivers etc) as to why the transfer provision under the 1982 Act only relates to short term lets and not to *all* licence types under the 1982 Act. The lack of transfer provision for the other licence types within the 1982 Act has been raised previously by the trade and Local Authorities to the Scottish Government.

There may be IT challenges for Glasgow in relation to providing online applications for the two new types of licence applications – Provisional Short Term Let Licence and separately Transfer of a Short Term let Licence – depending on when the 2024 Order comes into force. These challenges should however be overcome if there is a reasonable period of time between the Order being laid and coming into force.

**The Chief Executive's Office will consider this summary and advise you if we need further information before you submit the evidence to the parliamentary committee or inquiry.**

**Please return to CE Corporate Policy and Governance: Karen Porter ext 70355**

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